

V.L.G. asks the Appeals Board of the Utah Labor Commission to review Administrative Law Judge La Jeunesse's dismissal of Ms. G.'s complaint, which alleged that Beehive Credit Union had engaged in employment discrimination against Ms. G. in violation of the Utah Antidiscrimination Act ("the Act" hereafter; Title 34A, Chapter 5, Utah Code Annotated).

The Appeals Board exercises jurisdiction in this matter pursuant to Utah Code Ann. §63-46b-12 and Utah Code Ann. §34A-5-107(11).

BACKGROUND AND ISSUES PRESENTED

Ms. G. filed her initial employment discrimination complaint with the Utah Antidiscrimination and Labor Division. After conducting an investigation of the complaint, the Division found no cause to believe that Beehive had engaged in unlawful discrimination. As permitted by the Act, Ms. G. then requested a *de novo* hearing on her complaint. The matter was referred to Judge La Jeunesse, who held a formal evidentiary hearing on March 24 and April 23, 2003. On October 29, 2003, Judge La Jeunesse issued his decision in the matter. In summary, Judge La Jeunesse found no unlawful employment discrimination and, therefore, dismissed Ms. G.'s complaint.

On November 24, 2003, Ms. G. filed a "motion for review" of Judge La Jeunesse's decision. The motion did not state any basis for review, but merely represented that Ms. G. would file an additional motion that would set forth the specific grounds for review. However, no such additional motion has been filed.

DISCUSSION AND CONCLUSION OF LAW

Pursuant to § 63-46b-12(1)(b)(ii) of UAPA, it is Ms. G.'s obligation to state the grounds on which she seeks review of Judge La Jeunesse's Order. Furthermore, it is generally inappropriate for the Appeals Board itself to address issues that the parties have not themselves raised. Hilton Hotel v. Industrial Commission, 897 P.2d 352 (Utah App. 1995). Because Ms. G. has failed to identify any issues for Appeals Board review in this case, the Appeals Board affirms and adopts Judge La Jeunesse's decision.

ORDER

The Appeals Board affirms Judge La Jeunesse's decision and denies Ms. G.'s motion for review. It is so ordered.

Dated this 3rd day of May, 2004.

Colleen S. Colton, Chair
Patricia S. Drawe
Joseph E. Hatch

